

REMARKS

Claims 5-8 were rejected. Claim 5 is amended. Claims 5-8 are now pending. The above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance.

Rejections of claims 5-6 and 8 pursuant to 35 U.S.C. § 102(b)

The Examiner rejected claims 5-6 and 8 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,200,362 to Pomerantzeff ("Pomerantzeff").

Pomerantzeff discloses an apparatus for viewing an eye fundus through a contact lens, the apparatus having an illuminative element for illuminating the fundus through the sclera. Pomerantzeff, however, does not disclose individual light-conducting fibers or bundles of light-conducting fibers which extend into the area of the front lens, where the fibers and front lens do not contact the eye being examined, as required by amended independent claim 5. Pomerantzeff's illumination unit is based on a contact method:

a fundus illumination system 22, illustrated in the form of bundles 22a and 22b of optical fibers, which directs light from a source 24 into the interior of the eyeball through the sclera 12c The two bundles 22a and 22b preferably are disposed *on* the horizontal sides of the pupil in the access space normally available *on* the eye Where desired ... one or more bundles can be placed elsewhere *on* the eyeball

(Pomerantzeff, column 3:47-60 (emphasis added).) Thus, the ends of Pomerantzeff's light-conducting fibers are placed *on* the sclera. Further, Pomerantzeff's front lens ("contact lens 18") is placed directly on the eye. (See Figure 1.) For these reasons, Pomerantzeff does not disclose all the limitations of independent claim 5, and therefore Pomerantzeff does not anticipate claim 5 or its dependent claims 6-8.

Rejections of claim 7 pursuant to 35 U.S.C. §103

The Examiner rejected claim 7 pursuant to 35 U.S.C. § 103 as being unpatentable over Pomerantzeff, as applied to claim 5 above, and further in view of U.S. Pat. No. 4,575,208 to King ("King").

King discloses a cap arrangement having an aperture for use with a camera lens. The cap includes a focusing light and a light flash device to facilitate macro photographic procedures.

But similar to Pomerantzeff, King does not disclose light-conducting fibers which extend into the area of the front lens, where the fibers and front lens do not contact the eye being

examined. King's cap arrangement does not allow for light-conducting fibers to extend into the area of a front lens. Thus, the prior art references do not disclose all of the claim limitations, and therefore, even if the references were combined, one would not arrive at the claimed invention.

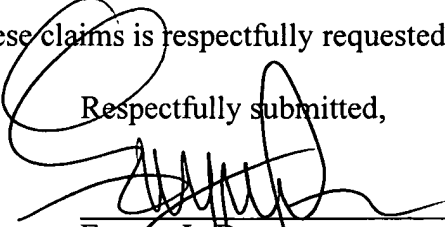
Further, it would not have been obvious to one of ordinary skill in the art to add these elements to the teachings of the references to arrive at the claimed invention. As discussed above, Pomerantzeff is designed as a contact method. Further, while King's lens cap discloses a "fiber optic tube 4," that tube is designed to directly illuminate the eye being examined, and not to extend to a front lens. Thus, the references teach away from the claimed invention in at least this significant respect.

Further, the cited references do not disclose an additional pulsed light source provided in addition to the illumination source for continuous illumination, as required by claim 7. King provides two separate systems for continuous illumination and pulsed illumination, while the claimed invention uses only one system, namely, the light-conducting fibers. To this end, the light of the continuous illumination system is imaged by optical means in the focal plane of the pulsed light source.

For the foregoing reasons, Applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art to arrive at the invention of dependent claim 7. Accordingly, Applicants respectfully request withdrawal of the rejection.

An early action on the merits of these claims is respectfully requested.

Respectfully submitted,



Eugene LeDonne
Reg. No. 33,930
Joseph Miller, III
Reg. No. 61,748

REED SMITH LLP
599 Lexington Avenue
29th Floor
New York, NY 10022
(P) 212-521-5400
Attorney for Applicant